

permitted by EPA's stack height rules. The certification does not apply to: Alabama Electric Cooperative—Lowman Steam Plant; Alabama Power Company-Gorgas Steam Plant, Gaston Steam Plant, Greene County Steam Plant, Gadsden Steam Plant, Miller Steam Plant, and Barry Steam Plant; Alabama River Pulp; Champion International Corporation; Container Corporation of America; Exxon Company's Big Escambia Creek Treating Facility; General Electric's Burkville Plant; International Paper; Scott Paper Company; Tennessee Valley Authority's Colbert, and Widows Creek Steam Plant; Union Camp Corporation; and U.S. Steel.

(a) *Determination of Attaining Data.* EPA has determined, as of September 20, 2010, the Birmingham, Alabama, nonattainment area has attaining data for the 2006 24-hour PM_{2.5} NAAQS. This clean data determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2006 24-hour PM_{2.5} NAAQS.

(b) *Determination of Attaining Data.* EPA has determined, as of May 31, 2011, the Chattanooga, Tennessee, nonattainment area has attaining data for the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM_{2.5} NAAQS.

(c) *Determination of attaining data.* EPA has determined, as of June 29, 2011, the Birmingham, Alabama, nonattainment area has attaining data for the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated

reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM_{2.5} NAAQS.

(d) *Disapproval.* EPA is disapproving portions of Alabama's Infrastructure SIP for the 2006 24-hour PM_{2.5} NAAQS addressing interstate transport, specifically with respect to section 110(a)(2)(D)(i)(I).

(e) *Disapproval.* EPA is disapproving portions of Alabama's Infrastructure SIP for the 1997 annual and 2006 24-hour PM_{2.5} NAAQS addressing section 110(a)(2)(E)(ii) that requires the State to comply with section 128 of the CAA.

[55 FR 5846, Feb. 20, 1990, as amended at 75 FR 57187, Sept. 20, 2010; 76 FR 31241, May 31, 2011; 76 FR 38024, June 29, 2011; 76 FR 43136, July 20, 2011; 77 FR 62452, Oct. 15, 2012]

§ 52.63 PM₁₀ State Implementation Plan development in group II areas.

On March 15, 1989, the State submitted a committal SIP for the cities of Leeds and North Birmingham in Jefferson County. The committal SIP contains all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM₁₀ at 52 FR 24681. The SIP commits the State to submit an emissions inventory, continue to monitor for PM₁₀, report data and to submit a full SIP if a violation of the PM₁₀ and National Ambient Air Quality Standards is detected.

[56 FR 32514, July 17, 1991]

§ 52.64 Determination of attainment.

Based upon EPA's review of the air quality data for the 3-year period 2007–2009, EPA determined that the Chattanooga, Alabama-Georgia-Tennessee PM_{2.5} nonattainment area attained the 1997 annual PM_{2.5} NAAQS by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the Area's air quality as of the attainment date, whether the Area attained the standard. EPA also determined that the Chattanooga, Alabama-Georgia-Tennessee PM_{2.5} nonattainment area is not

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subject to the consequences of failing to attain pursuant to section 179(d).

[76 FR 55575, Sept. 8, 2011]

§ 52.65 Control Strategy: Nitrogen oxides.

On October 22, 1990, the Alabama Department of Environmental Management submitted a revision to Chapter 2, Control Strategy, by adding subsection 4.2.3. This revision addressed the strategy Alabama is using to implement provisions of the Prevention of Significant Deterioration regulations for nitrogen oxides.

[57 FR 24370, June 9, 1992]

§ 52.66 [Reserved]

§ 52.69 Original identification of plan section.

(a) This section identified the original “Air Implementation Plan for the State of Alabama” and all revisions submitted by Alabama that were federally approved prior to December 1, 1998. The information in this section is available in the 40 CFR, part 52 edition revised as of July 1, 1999, the 40 CFR, part 52, Volume 1 of 2 (§§ 52.01 to 52.1018) editions revised as of July 1, 2000 through July 1, 2011, and the 40 CFR, part 52, Volume 1 of 3 (§§ 52.01 to 52.1018) editions revised as of July 1, 2012.

(b)–(c) [Reserved]

[79 FR 30050, May 27, 2014]

Subpart C—Alaska

§ 52.70 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the State of Alaska under section 110 of the Clean Air Act,

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42 U.S.C. 7401–7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to March 4, 2014, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after March 4, 2014, will be incorporated by reference in the next update to the SIP compilation.

(2) The EPA Region 10 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of March 4, 2014.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region 10 Office at 1200 Sixth Avenue, Seattle WA, 98101; the EPA, Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave. NW., Washington, DC; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) EPA approved regulations.

EPA-APPROVED ALASKA REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanations
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 50 Air Quality Control (18 AAC 50)				
18 AAC 50 Article 1. Ambient Air Quality Management				
18 AAC 50.005	Purpose and Applicability of Chapter.	10/1/04	8/14/07, 72 FR 45378.	except subsections (7) and (8).
18 AAC 50.010	Ambient Air Quality Standards.	10/1/04; 4/1/10	8/14/07, 72 FR 45378; 10/22/12, 77 FR 64425.	
18 AAC 50.015	Air Quality Designations, Classifications, and Control Regions.	10/1/04	8/14/07, 72 FR 45378.	